

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (Currently Amended): A crystalline linezolid form III, characterized by an x-ray powder diffraction spectrum having peaks expressed as  $2\theta$  at about 7.6, 9.6, 13.6, 14.9, 18.2, 18.9, 21.2, 22.3, 25.6, 26.9, 27.9 and 29.9 degrees, and further characterized by an IR spectrum having main bands at about 3338, 1741, 1662, 1544, 1517, 1471, 1452, 1425, 1400, 1381, 1334, 1273, 1255, 1228, 1213, 1197, 1176, 1116, 1082, 1051, 937, 923, 904, 869, 825 and  $756\text{ cm}^{-1}$ , wherein there is at least a 99.8% enantiomeric excess of the linezolid form III.

Claims 2-38. (Canceled).

Claim 39. (New): A crystalline linezolid form III, characterized by an x-ray powder diffraction spectrum having peaks expressed as  $2\theta$  at about 7.6, 9.6, 13.6, 14.9, 18.2, 18.9, 21.2, 22.3, 25.6, 26.9, 27.9 and 29.9 degrees, and further characterized by an IR spectrum having main bands at about 3338, 1741, 1662, 1544, 1517, 1471, 1452, 1425, 1400, 1381, 1334, 1273, 1255, 1228, 1213, 1197, 1176, 1116, 1082, 1051, 937, 923, 904, 869, 825 and  $756\text{ cm}^{-1}$ .